



Monday
May 13, 1996

Part XLVI

**Department of
Defense
General Services
Administration
National Aeronautics
and Space
Administration**

**Federal Acquisition Regulation;
Semiannual Regulatory Agenda**

**DEPARTMENT OF DEFENSE/GENERAL SERVICES ADMINISTRATION
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)**
DEPARTMENT OF DEFENSE
**GENERAL SERVICES
ADMINISTRATION**
**NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION**
48 CFR Ch. 1
Semiannual Regulatory Agenda

AGENCIES: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Semiannual regulatory agenda.

SUMMARY: This agenda provides summary descriptions of regulations

being developed by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council in compliance with Executive Order 12866 "Regulatory Planning and Review." This agenda is being published to allow interested persons an opportunity to participate in the rulemaking process.

The Federal Acquisition Regulation (FAR) Secretariat has attempted to list all regulations pending at the time of publication, except for minor and routine or repetitive actions; however, unanticipated requirements may result in the issuance of regulations that are not included in this agenda. There is no legal significance to the omission of an item from this listing. Also, the dates shown for the steps of each action are

estimated and are not commitments to act on or by the dates shown.

FOR FURTHER INFORMATION CONTACT: Ms. Beverly Fayson, FAR Secretariat, Room 4037, GS Building, Washington, DC 20405, (202) 501-4755.

SUPPLEMENTARY INFORMATION: DoD, GSA, and NASA, under their several statutory authorities, jointly issue and maintain the FAR and prescribe the FAR system. Revisions to the FAR are made through periodic issuance of Federal Acquisition Circulars (FACs).

Dated: March 20, 1996.

Edward C. Loeb,

Director, Federal Acquisition Policy Division.

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
4008	FAR Case 95-303, Restrictions on Certain Foreign Purchases	9000-AG82
4009	FAR Case 92-613, Contractor Overhead Certification	9000-AG85
4010	FAR Case 94-008, OFPP Policy Letter 93-1, Management Oversight of Service Contracting	9000-AG86
4011	FAR Case 95-17, Final Overhead Settlement	9000-AG87
4012	FAR Case 95-019, Consideration of Late Offers	9000-AG89

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
4013	FAR Case 91-31, Contract Award-Sealed Bidding	9000-AE41
4014	FAR Case 91-106, Child Care Services	9000-AF31
4015	FAR Case 92-301, Federal Courts Administration Act	9000-AF35
4016	FAR Case 93-606, Implementation of MOU Between the USA and the EEC on Government Procurement and Sanctions Imposed on the European Economic Community	9000-AF39
4017	FAR Case 92-46, Prompt Payment Overseas	9000-AF41
4018	FAR Case 92-45, Interest Clause Revisions	9000-AF44
4019	FAR Case 91-95, Postponement of Bid Openings or Closing Dates	9000-AF48
4020	FAR Case 93-305, Small Business Innovation Research Rights in Data	9000-AF54
4021	FAR Case 91-102, Inconsistencies—Termination for Convenience	9000-AF55
4022	FAR Case 93-310, Implementation of the North American Free Trade Agreement (NAFTA) Implementation Act	9000-AF60
4023	FAR Case 92-27, Quality Assurance Nonconformance	9000-AF80
4024	FAR Case 92-48, Fluctuating Exchange Rates	9000-AF83
4025	FAR Case 93-6, Legislative Lobbying Costs	9000-AF98
4026	FAR Case 93-20, Records Retention	9000-AF99
4027	FAR Case 93-22, Travel Costs	9000-AG00
4028	FAR Case 93-615, Use of Convict Labor	9000-AG02
4029	FAR Case 92-31, Quality Assurance Actions, Electronic Screening	9000-AG06
4030	FAR Case 92-39, Master Subcontracting Plans	9000-AG07
4031	FAR Case 92-302, Small Business Competitiveness Demonstration Program	9000-AG10
4032	FAR Case 93-304, Defense Production Act Amendments	9000-AG11
4033	FAR Case 94-771; Micro-Purchase Procedures	9000-AG26
4034	FAR Case 94-753; Travel Costs	9000-AG27
4035	FAR Case 92-50, Double-Sided Copy	9000-AG41
4036	FAR Case 93-307, Ozone Executive Order	9000-AG42

FAR**Final Rule Stage (Continued)**

Sequence Number	Title	Regulation Identifier Number
4037	FAR Case 95-9 Quick Closeout Procedures	9000-AG57
4038	FAR Case 94-712, Multiyear Contracting	9000-AG63
4039	FAR Case 95-002, Application of Cost Accounting Standards Board Regulations to Educational Institutions	9000-AG71
4040	FAR Case 94-723, Modification of Existing Contracts	9000-AG90
4041	FAR Case 94-767, Assignment of Claims—Presidential Delegation	9000-AG91
4042	FAR Case 94-011, Predetermined Indirect Cost Rates	9000-AG92
4043	94-606, Part 31 Agency Supplements	9000-AG93
4044	FAR Case 92-001, Inspection Clauses—Fixed	9000-AG94
4045	FAR Case 95-004, National Industrial Security Program Operating Manual (NISPO)	9000-AG95
4046	FAR Case 95-030, Caribbean Basin Countries	9000-AG96
4047	FAR Case 95-027, Armed Services Pricing Manual	9000-AG97
4048	FAR Case 95-603, Solicitation Provisions - Contract Clauses	9000-AG98
4049	FAR Case 95-301, Irrevocable Letters of Credit (ILCs) and Alternatives to Miller Act Bonds	9000-AG99
4050	FAR Case 96-302, Justification and Approval Thresholds	9000-AH00

Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
4051	FAR Case 89-12, Pay-As-You-Go Pension Costs	9000-AC90
4052	FAR Case 89-23, Procurement Integrity	9000-AD01
4053	FAR Case 89-42, Liquidated Damages	9000-AD20
4054	FAR Case 89-93, Implementation of the Anti-Lobbying Statute	9000-AD76
4055	FAR Case 91-27, Performance and Payment Bonds	9000-AE47
4056	FAR Case 91-28, Indian-Owned Enterprises	9000-AE52
4057	FAR Case 91-91, Prompt Payment Act	9000-AF61
4058	FAR Case 91-109, Architect-Engineer Services	9000-AF72
4059	FAR Case 93-5, Employee Compensation Costs	9000-AF97
4060	FAR Case 91-78, Small Business Subcontracting Reporting	9000-AG04
4061	FAR Case 94-3: Termination Inventory Schedules	9000-AG13
4062	FAR Case 94-9, Interdivisional Transfers	9000-AG14
4063	FAR Case 92-54, Environmentally Preferable Products	9000-AG40
4064	FAR Case 91-118, Payment by Electronic Fund Transfer	9000-AG49
4065	FAR Case 93-26, Business Meals	9000-AG59
4066	FAR Case 92-34, FAR Certifications	9000-AG61
4067	FAR Case 93-19, Contingent Fee	9000-AG64
4068	FAR Case 93-10, Legal Proceedings Costs	9000-AG65
4069	FAR Case 95-007, Responsibility Determinations	9000-AG66
4070	FAR Case 95-305, Federal Acquisition and Community Right-To-Know	9000-AG68
4071	FAR Case 93-308, Mentor Protege Program	9000-AG70
4072	FAR Case 95-003, Impairment of Long-Lived Assets	9000-AG73
4073	FAR Case 93-024, Allowable Cost and Payment Clause	9000-AG74
4074	FAR Case 94-605, Contractors' Purchasing Systems Reviews	9000-AG75
4075	FAR Case 92-035, Clause Flowdown	9000-AG76
4076	FAR Case 93-303, Disaster Relief Act	9000-AG77
4077	FAR Case 95-304, Uruguay Round	9000-AG80
4078	FAR Case 91-119, Buy American Act-Construction (Grimberg Decision)	9000-AG81
4079	FAR Case 93-009, Contingent Fee Representation	9000-AG83

Completed Actions

Sequence Number	Title	Regulation Identifier Number
4080	FAR Case 90-52, Evaluation Factors	9000-AE21
4081	FAR Case 91-18, Multiyear Contracting	9000-AE65

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Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
4082	FAR Case 92-616, Service of Protest	9000-AF36
4083	FAR Case 93-301, Made in America Labels; FAR Case 93-306, Unfair Trade Practices	9000-AF40
4084	FAR Case 92-19, Subcontracting Plans	9000-AF45
4085	FAR Case 92-51, Inherently Governmental Functions	9000-AF46
4086	FAR Case 92-615, Debarment and Suspension Certificate	9000-AF57
4087	FAR Case 91-108, Javits-Wagner-O'Day Program	9000-AF71
4088	FAR Case 92-2, Subcontract Proposal Audits	9000-AF74
4089	FAR Case 92-10, Nonprofit Institutions Clause Prescription	9000-AF77
4090	FAR Case 92-14, Insurance—Liability to Third Persons	9000-AF78
4091	FAR Case 92-17, Overhead Should-Cost Reviews	9000-AF79
4092	FAR Case 92-40, Contractors' Purchasing Systems Reviews and Subcontractor Consent	9000-AF82
4093	FAR Case 92-604, Nonallowability of Excise Taxes on Nondeductible Contributions to Deferred Compensation Plans	9000-AF85
4094	FAR Case 94-602, GSBGA Rules	9000-AG03
4095	FAR Case 92-24, Employee Stock Ownership Plans	9000-AG53
4096	FAR Case 93-18, Definition of Bid and Proposal Costs	9000-AG58
4097	FAR Case 95-008, Competitive Range	9000-AG67
4098	FAR Case 95-006, Field Pricing Support Request	9000-AG69
4099	FAR Case 92-606, SBA Responsibility, Certificates of Competency Requests	9000-AG78
4100	FAR Case 94-002, Availability of Accounting Guide	9000-AG79
4101	FAR Case 91-70, Insurance	9000-AG84

**DEPARTMENT OF DEFENSE/GENERAL SERVICES ADMINISTRATION
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)**
Proposed Rule Stage
**4008. • FAR CASE 95-303,
RESTRICTIONS ON CERTAIN
FOREIGN PURCHASES**
Priority: Other Significant**Legal Authority:** EO 12959**CFR Citation:** 48 CFR 25.7; 48 CFR 52.225-11**Legal Deadline:** None

Abstract: This proposed rule amends the FAR to implement Executive Order 12959, Prohibiting Certain Transactions with Respect to Iran, and to conform the FAR to other current restrictions of the Department of the Treasury.

Timetable:

Action	Date	FR Cite
NPRM	02/22/96	61 FR 6910
NPRM Comment Period End	04/21/96	

Small Entities Affected: Undetermined**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AG82
**4009. • FAR CASE 92-613,
CONTRACTOR OVERHEAD
CERTIFICATION**
Priority: Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)**CFR Citation:** 48 CFR 31.205-1; 48 CFR 31.205-13**Legal Deadline:** None

Abstract: This proposed rule modifies the allowability criteria for the cost of gifts and entertainment. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	

Action	Date	FR Cite
NPRM Comment Period End	06/00/96	
Final Action	00/00/00	

Small Entities Affected: Undetermined**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AG85
**4010. • FAR CASE 94-008, OFPP
POLICY LETTER 93-1, MANAGEMENT
OVERSIGHT OF SERVICE
CONTRACTING**
Priority: Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

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Proposed Rule Stage

CFR Citation: 48 CFR 9.505-3; 48 CFR 9.507-1; 48 CFR 35.017-2; 48 CFR 37.000; 48 CFR 37.102; 48 CFR 37.5

Legal Deadline: None

Abstract: This proposed rule amends the FAR to provide agency guidance on the management of service contracts.

Timetable:

Action	Date	FR Cite
NPRM	04/00/96	
NPRM Comment Period End	06/00/96	
Final Action	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AG86

4011. • FAR CASE 95-17, FINAL OVERHEAD SETTLEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 42.705; 48 CFR 52.216-7; 48 CFR 52.216-13; 48 CFR 52.216-15

Legal Deadline: None

Abstract: This proposed rule amends the FAR to improve the process of final settlement of contractor overhead rates. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1996.

Timetable:

Action	Date	FR Cite
NPRM	05/00/96	
NPRM Comment Period End	07/00/96	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AG87

4012. • FAR CASE 95-019, CONSIDERATION OF LATE OFFERS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473

CFR Citation: 48 CFR 14.304; 48 CFR 15.412; 48 CFR 52.214-5; 48 CFR

52.214-7; 48 CFR 52.214-32; 48 CFR 52.214-33; 48 CFR 52.215-9; 48 CFR 52.215-10; 48 CFR 52.215-36

Legal Deadline: None

Abstract: This proposed rule amends the FAR to acknowledge hand-carried offers (bids and proposals) in the FAR and broaden the conditions under which late offers for negotiated procurements can be considered.

Timetable:

Action	Date	FR Cite
NPRM	06/00/96	
NPRM Comment Period End	08/00/96	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AG89

DEPARTMENT OF DEFENSE/GENERAL SERVICES ADMINISTRATION NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)

Final Rule Stage

4013. FAR CASE 91-31, CONTRACT AWARD-SEALED BIDDING

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 52

Legal Deadline: None

Abstract: This final rule amends the FAR to inform offerors that the Government may reject bids as nonresponsive if the prices are materially unbalanced. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
NPRM	06/27/91	56 FR 29539
NPRM Comment Period End	08/26/91	
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR),

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RIN: 9000-AE41

4014. FAR CASE 91-106, CHILD CARE SERVICES

Priority: Substantive, Nonsignificant

Legal Authority: PL 101-647, sec 231; PL 102-190, sec 1094

CFR Citation: 48 CFR 37.101; 48 CFR 37.103

Legal Deadline: None

Abstract: The Civilian Agency Acquisition Council and the Defense

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Final Rule Stage

Acquisition Regulations Council are amending the Federal Acquisition Regulation to add a definition of child care services and to require contracting officers to ensure that contracts for child care services include requirements for criminal history background checks of employees in accordance with 42 U.S.C. 13041. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/28/94	59 FR 67050
Final Action	05/00/96	

Small Entities Affected: Organizations

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AF31

4015. FAR CASE 92-301, FEDERAL COURTS ADMINISTRATION ACT

Priority: Other Significant

Legal Authority: PL 102-572

CFR Citation: 48 CFR 33.201; 48 CFR 33.202; 48 CFR 33.204; 48 CFR 33.207; 48 CFR 33.208; 48 CFR 33.210; 48 CFR 33.211; 48 CFR 33.214; 48 CFR 42.302; 48 CFR 52.233-1

Legal Deadline: Other, Statutory, October 29, 1992.

This RIN implements PL 102-572, sec 907(a) which was enacted on October 29, 1992.

Abstract: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed to revise Federal Acquisition Regulation Part 33 and the clause at 52.233-1 to implement the Administrative Dispute Resolution Act (PL 101-552) and the Federal Courts Administration Act of 1992 (PL 102-572). This revision will encourage the use of Alternative Dispute Resolution techniques and will resolve problems that have arisen under currently

existing Contract Disputes Act resolution procedures.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/10/94	59 FR 11380
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Additional Information: RIN 9000-AE96 was merged with this RIN and published as an interim rule in Federal Acquisition Circular 90-20.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
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RIN: 9000-AF35

4016. FAR CASE 93-606, IMPLEMENTATION OF MOU BETWEEN THE USA AND THE EEC ON GOVERNMENT PROCUREMENT AND SANCTIONS IMPOSED ON THE EUROPEAN ECONOMIC COMMUNITY

Priority: Other Significant

Legal Authority: EO 12849

CFR Citation: 48 CFR 14.201-6; 48 CFR 15.407; 48 CFR 17.203(h); 48 CFR 25.109; 48 CFR 25.202; 48 CFR 25.205; 48 CFR 25.4; 48 CFR 25.10; 48 CFR 52.214-34; 48 CFR 52.214-35; 48 CFR 52.225-8; 48 CFR 52.225-9; 48 CFR 52.225-15 to 52.225-19

Legal Deadline: Other, Statutory, May 25, 1993.

RIN is based on publication of interim rule.

Abstract: The Department of Defense, General Services Administration, and National Aeronautics and Space Administration have agreed to a final rule implementing the Memorandum of Understanding Between the United States of America and the European Economic Community on Government Procurement (MOU) and implementing the sanctions imposed by the President on the European Community (EC) prohibiting the award of certain contracts for EC products, services, and construction.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/28/93	58 FR 31140
Final Action	05/00/96	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AF39

4017. FAR CASE 92-46, PROMPT PAYMENT OVERSEAS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 32.901; 48 CFR 52.232-25; 48 CFR 52.232-26

Legal Deadline: None

Abstract: This final rule amends the FAR to reflect that the Prompt Payment Act applies to overseas contracts. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/10/94	59 FR 11379
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AF41

FAR

Final Rule Stage

4018. FAR CASE 92-45, INTEREST CLAUSE REVISIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)**CFR Citation:** 48 CFR 32.610; 48 CFR 32.613; 48 CFR 32.614-1; 48 CFR 52.232-17**Legal Deadline:** None

Abstract: FAR 32.610(b)(2), 32.613(h)(3), 32.614-1(c), and the clause at 52.232-17 are amended to make it clear that the Cost Accounting Standards clauses at 52.230-2 and 52.230-3 provide for the use of different interest rates under different circumstances. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Final Action	05/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AF44**4019. FAR CASE 91-95, POSTPONEMENT OF BID OPENINGS OR CLOSING DATES****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)**CFR Citation:** 48 CFR 14.402-3(c); 48 CFR 15.411(a); 48 CFR 15.412(b); 48 CFR 52.214-7(h); 48 CFR 52.215-10**Legal Deadline:** None

Abstract: This final rule amends the FAR to clarify the time for receipt of bids or proposals when an emergency or unanticipated event interrupts normal processes at a Government installation on the date scheduled for receipt of bids or proposals.

Timetable:

Action	Date	FR Cite
NPRM	11/09/93	58 FR 59618
NPRM Comment	01/10/94	
Period End		
Final Action	05/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AF48**4020. FAR CASE 93-305, SMALL BUSINESS INNOVATION RESEARCH RIGHTS IN DATA****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)**CFR Citation:** 48 CFR 52.227-20**Legal Deadline:** None

Abstract: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed to a final rule that amends the Federal Acquisition Regulation (FAR) under the clause Rights in Data-Small Business Innovation Research Program, to increase the small business concern's data rights retention period from 2 to 4 years. This amendment implements Section 15(f) of the revised Small Business Innovation Research (SBIR) Program Policy Directive, published by the Small Business Administration (SBA) in the Federal Register at 58 FR 6144, January 26, 1993. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/10/94	59 FR 11386
Final Action	05/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is a

statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AF54**4021. FAR CASE 91-102, INCONSISTENCIES—TERMINATION FOR CONVENIENCE****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)**CFR Citation:** 48 CFR 52.249-2(e); 48 CFR 52.249-2(i)**Legal Deadline:** None

Abstract: This final rule amends the FAR to clarify language in the "Termination for Convenience of the Government (Fixed-Price)" clause.

Timetable:

Action	Date	FR Cite
NPRM	12/09/93	58 FR 64826
NPRM Comment	02/07/94	
Period End		
Final Action	05/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AF55**4022. FAR CASE 93-310, IMPLEMENTATION OF THE NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA) IMPLEMENTATION ACT****Priority:** Economically Significant**Legal Authority:** 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)**CFR Citation:** 48 CFR 5.202(a); 48 CFR 14; 48 CFR 15; 48 CFR 17; 48 CFR 25; 48 CFR 27; 48 CFR 52.225

Legal Deadline: Other, Statutory, January 1, 1994.

FAR

Final Rule Stage

Deadline is for an interim rule.

Abstract: The Department of Defense, General Services Administration, and National Aeronautics and Space Administration have agreed to a revised interim rule implementing the North American Free Trade Agreement (NAFTA) Implementation Act. While the North American Free Trade Agreement (NAFTA) remains in effect, the Canadian Free Trade Agreement (CFTA) is suspended. This interim rule revises and updates the FAR concerning Canadian products. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/05/94	59 FR 544
Final Action	05/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405 Phone: 202 501-4755

RIN: 9000-AF60

4023. FAR CASE 92-27, QUALITY ASSURANCE NONCONFORMANCE

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 46.101; 48 CFR 46.103(c) to 46.103(e); 48 CFR 46.407(c)(1); 48 CFR 46.407(d); 48 CFR 46.407(f)

Legal Deadline: None

Abstract: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed to amend the Federal Acquisition Regulation concerning quality assurance to include definitions of the terms "critical nonconformance," "major nonconformance," and "minor nonconformance" and make other conforming amendments as a result of recommendations made by the DOD IG.

Timetable:

Action	Date	FR Cite
NPRM	03/28/94	59 FR 14466
NPRM Comment	05/27/94	
Period End		
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405 Phone: 202 501-4755

RIN: 9000-AF80

4024. FAR CASE 92-48, FLUCTUATING EXCHANGE RATES

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 25.501; 48 CFR 25.502; 48 CFR 52.225-4

Legal Deadline: None

Abstract: This final rule amends the FAR to provide guidance and a provision regarding evaluation of foreign currency offers. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
NPRM	04/06/94	59 FR 16391
NPRM Comment	06/06/94	
Period End		
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405 Phone: 202 501-4755

RIN: 9000-AF83

4025. FAR CASE 93-6, LEGISLATIVE LOBBYING COSTS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 31.205-22; 48 CFR 31.205-30

Legal Deadline: None

Abstract: The allowability criteria for contractor legislative lobbying costs are amended.

Timetable:

Action	Date	FR Cite
NPRM	09/16/94	59 FR 47776
NPRM Comment	11/15/94	
Period End		
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405 Phone: 202 501-4755 Fax: 202 501-4067

RIN: 9000-AF98

4026. FAR CASE 93-20, RECORDS RETENTION

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 31.201-2

Legal Deadline: None

Abstract: This final rule amends the FAR to explicitly state that contractors must maintain adequate cost records in order to be reimbursed for all claimed costs. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
NPRM	09/16/94	59 FR 47776
NPRM Comment	11/15/94	
Period End		
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

FAR

Final Rule Stage

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AF99

4027. FAR CASE 93-22, TRAVEL COSTS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 31.205-46

Legal Deadline: None

Abstract: This final rule amends the FAR to specify the documentation required to support the allowability of contractors' claimed travel costs. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
NPRM	09/16/94	59 FR 47777
NPRM Comment Period End	11/15/94	
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS - FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
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RIN: 9000-AG00

4028. FAR CASE 93-615, USE OF CONVICT LABOR

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 22.201; 48 CFR 52.222-3

Legal Deadline: None

Abstract: This final rule amends the FAR to reflect changes in the statutory restrictions on employment of convict labor in the performance of Government contracts. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
NPRM	09/06/94	59 FR 46020
NPRM Comment Period End	11/07/94	
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG02

4029. FAR CASE 92-31, QUALITY ASSURANCE ACTIONS, ELECTRONIC SCREENING

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 46.101

Legal Deadline: None

Abstract: This rule revises 46.101, Definitions, to include definitions of the terms "latent defect" and "patent defect." The case implements a DODIG mediation agreement on Audit Report 92-099, Quality Assurance Actions Resulting from Electronic Component Screening.

Timetable:

Action	Date	FR Cite
NPRM	09/08/94	59 FR 46386
NPRM Comment Period End	11/07/94	
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no

statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755

RIN: 9000-AG06

4030. FAR CASE 92-39, MASTER SUBCONTRACTING PLANS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 19.704(b); 48 CFR 52.219-9

Legal Deadline: None

Abstract: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed to amend the FAR to permit master subcontracting plans to be written for a 3-year period and to emphasize that it is incumbent upon contractors to maintain and update master plans.

Timetable:

Action	Date	FR Cite
NPRM	09/08/94	59 FR 46385
NPRM Comment Period End	11/07/94	
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG07

4031. FAR CASE 92-302, SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-366

CFR Citation: 48 CFR 19.1001; 48 CFR 19.1005; 48 CFR 19.1006

Legal Deadline: None

FAR

Final Rule Stage

Abstract: Amends the Federal Acquisition Regulation to specify that agencies may reinstate the use of small business set-asides as necessary to meet assigned goals, but only within the organizational unit(s) that failed to meet the small business goals, and revises the description of Architect and Engineering services as a designated industry group. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/28/94	59 FR 67047
Final Action	05/00/96	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG10

4032. FAR CASE 93-304, DEFENSE PRODUCTION ACT AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-558; 50 USC 2091

CFR Citation: 48 CFR 34.1; 48 CFR 52.234-1

Legal Deadline: Final, Statutory, July 26, 1993.

Abstract: FAR is amended to add policy and procedures for testing and qualification of industrial resources developed under Title III, Defense Production Act (DPA) Amendments of 1992 (PL 102-558). This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/28/94	59 FR 67047
Final Action	05/00/96	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG11

4033. FAR CASE 94-771; MICRO-PURCHASE PROCEDURES

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 103-355

CFR Citation: 48 CFR 1.603-3; 48 CFR 3.104-4; 48 CFR 4.800; 48 CFR 13.101; 48 CFR 13.105; 48 CFR 13.106; 48 CFR 13.502; 48 CFR 13.601; 48 CFR 13.603; 48 CFR 25.100

Legal Deadline: Final, Statutory, October 1, 1995.

Abstract: A final rule is being issued pursuant to the Federal Acquisition Streamlining Act of 1994 to implement the new micro-purchase requirements of the Act. This regulatory action is subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/15/94	59 FR 64786
Final Action	04/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG26

4034. FAR CASE 94-753; TRAVEL COSTS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 103-355

CFR Citation: 48 CFR 31.205-46

Legal Deadline: Final, Statutory, October 1, 1995.

The Federal Acquisition Streamlining Act eliminated the statutory requirement to the travel cost principle concerning the Federal Travel Regulations. No regulatory implementation was required.

Abstract: This rule is issued pursuant to the Federal Acquisition Streamlining Act of 1994, Public Law 103-355 (the Act). The Federal Acquisition Regulatory Council is considering amending the Federal Acquisition Regulation (FAR) as a result of changes to 41 USC 22 by Section 2191 of the Act. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. However, the proposed rule would permit contractors to propose alternative rates to those prescribed in the FTR/JTR.

Timetable:

Action	Date	FR Cite
NPRM	12/14/94	59 FR 64542
NPRM Comment Period End	02/13/95	
Final Action	04/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG27

FAR

Final Rule Stage

4035. FAR CASE 92-50, DOUBLE-SIDED COPY**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)**CFR Citation:** 48 CFR 4.000; 48 CFR 4.3; 48 CFR 52.204-4**Legal Deadline:** None

Abstract: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed to a final rule amending the FAR to encourage contractors to maximize the use of double-sided copying on recycled paper when submitting documents related to an acquisition. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/31/95	60 FR 28492
Final Action	05/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG41**4036. FAR CASE 93-307, OZONE EXECUTIVE ORDER****Priority:** Substantive, Nonsignificant**Legal Authority:** EO 12843**CFR Citation:** 48 CFR 23.8; 48 CFR 52.223-11; 48 CFR 52.223-12**Legal Deadline:** Other, Statutory, March 11, 1994.

RIN published as an interim rulemaking in Federal Acquisition Circular 90-27.

Abstract: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed to a final rule which amends the FAR to provide policy for the acquisition of items that contain, use,

or are manufactured with ozone-depleting substances. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/31/95	60 FR 28492
Final Action	05/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG42**4037. FAR CASE 95-9 QUICK CLOSEOUT PROCEDURES****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)**CFR Citation:** 48 CFR 42.708(a); 48 CFR 52.216-7; 48 CFR 52.216-13**Legal Deadline:** None

Abstract: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed to a final rule to amend the FAR to ensure maximum use of the quick-closeout procedures. This regulatory action was not subject to E.O. 12866 Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
NPRM	07/25/95	60 FR 38196
NPRM Comment Period End	09/25/95	
Final Action	05/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA/VRS-FAR Secretariat, 18th & F Street NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG57**4038. FAR CASE 94-712, MULTIYEAR CONTRACTING****Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)**CFR Citation:** 48 CFR 19; 48 CFR 52**Legal Deadline:** Final, Statutory, October 1, 1995.

Abstract: This rule provides authority for certain agencies to conduct certain multiyear contracting.

Timetable:

Action	Date	FR Cite
NPRM	03/16/95	60 FR 14340
NPRM Comment Period End	05/15/95	
Final Action	04/00/96	

Small Entities Affected: Businesses**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4225
Fax: 202 501-4067

RIN: 9000-AG63**4039. • FAR CASE 95-002, APPLICATION OF COST ACCOUNTING STANDARDS BOARD REGULATIONS TO EDUCATIONAL INSTITUTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)**CFR Citation:** 48 CFR 30.201; 48 CFR 30.202-7; 48 CFR 30.202-8; 48 CFR

FAR

Final Rule Stage

30.5; 48 CFR 30.602; 48 CFR 30.603; 48 CFR 42.302; 48 CFR 52.230

Legal Deadline: None

Abstract: This final rule amends the FAR to implement changes made to the Cost Accounting Standards (CAS). It applies to educational institutions receiving a negotiated Federal contract or subcontract award in excess of \$500,000 (excluding contracts awarded for the operation of Federally Funded Research and Development Centers (FFRDCs) which are already subject to CAS Board regulations), and requires that such educational institutions comply with certain specified CAS Board rules, regulations and standards. The revisions to the FAR are based on the CAS Board's amendments to 48 CFR, Chapter 99. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG71

4040. • FAR CASE 94-723, MODIFICATION OF EXISTING CONTRACTS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 103-355, sec 1002

CFR Citation: 48 CFR 1.103; 48 CFR 43.102

Legal Deadline: Other, Statutory, October 1, 1995.
Rule published as interim rulemaking in Federal Acquisition Circular 90-38.

Abstract: This interim rule amends the FAR to implement section 1002 of the Federal Acquisition Streamlining Act (Public Law 103-355) which authorizes regulations to provide for modification of existing contracts without requiring consideration, upon request of the contractor, to incorporate changes authorized by FASA. This regulatory action was subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG90

4041. • FAR CASE 94-767, ASSIGNMENT OF CLAIMS—PRESIDENTIAL DELEGATION

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 103-355

CFR Citation: 48 CFR 32.803; 48 CFR 32.806

Legal Deadline: Final, Statutory, October 5, 1996.

Abstract: This final rule reflects the Presidential delegation of authority to make determinations of need and to provide guidance for determinations of need made in accordance with the Presidential Delegation dated October 3, 1995. This regulatory action was subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG91

4042. • FAR CASE 94-011, PREDETERMINED INDIRECT COST RATES

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 16.307; 48 CFR 42.705-3; 48 CFR 52.216-15

Legal Deadline: None

Abstract: This final rule amends the FAR to implement revisions to OMB Circular A-21 that permit predetermined indirect cost rates for educational institutions to be established for periods of up to four years. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Final Action	05/00/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG92

FAR

Final Rule Stage

4043. • 94-606, PART 31 AGENCY SUPPLEMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)**CFR Citation:** 48 CFR 31.100; 48 CFR 31.101**Legal Deadline:** None

Abstract: This final rule amends the FAR to remove the requirement for Civilian Agency Acquisition Council approval for agency supplements to FAR Part 31, as recommended by the Department of Transportation. The change does not amend the requirement for approval of class deviations.

Accordingly, supplementary coverage will be consistent with the FAR Part 31 coverage, unless a class deviation is approved. Therefore, advance approval of supplements is considered to be unnecessary. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Final Action	05/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
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RIN: 9000-AG93**4044. • FAR CASE 92-001, INSPECTION CLAUSES—FIXED****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)**CFR Citation:** 48 CFR 52.246-2; 48 CFR 52.246-4; 48 CFR 52.246-7; 48 CFR 52.246-12; 48 CFR 52.246-13**Legal Deadline:** None

Abstract: This final rule amends the FAR to provide clarification in the clauses pertaining to Inspection of Supplies--Fixed Price, Inspection of

Services--Fixed Price, Inspection of Research and Development--Fixed Price, Inspection of Construction, and Inspection--Dismantling, Demolition, or Removal of Improvements, by replacing the phrase "without additional charge" with "at no increase in contract price". This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Final Action	05/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG94**4045. • FAR CASE 95-004, NATIONAL INDUSTRIAL SECURITY PROGRAM OPERATING MANUAL (NISPOM)****Priority:** Substantive, Nonsignificant**Legal Authority:** EO 12829**CFR Citation:** 48 CFR 4.402; 48 CFR 4.403; 48 CFR 4.404; 48 CFR 27.207-1; 48 CFR 52.204-2**Legal Deadline:** None

Abstract: This final rule amends the FAR to reflect the applicability of the National Industrial Security Program Operating Manual (NISPOM). The NISPOM updates and replaces the DOD Industrial Security Manual for Safeguarding Classified Information (DOD) 5220.22-M).

This rule revises the FAR to replace references to the Defense Industrial Security Program with references to the National Industrial Security Program. The revisions also replace references to the DOD Industrial Security Manual for Safeguarding Classified Information with references to the NISPOM. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Final Action	05/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AG95**4046. • FAR CASE 95-030, CARIBBEAN BASIN COUNTRIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)**CFR Citation:** 48 CFR 25.402**Legal Deadline:** None

Abstract: This final rule amends the FAR to implement the extension by the U.S. Trade Representative of the date of eligibility under the Trade Agreements Act of products of Caribbean Basin Countries. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Final Action	05/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AG96

FAR

Final Rule Stage

4047. • FAR CASE 95-027, ARMED SERVICES PRICING MANUAL**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)**CFR Citation:** 48 CFR 15.805-1**Legal Deadline:** None

Abstract: This final rule amends the FAR to replace the Armed Services Pricing Manual as the reference guide for pricing and negotiation personnel, with five desk references jointly prepared by the Air Force Institute of Technology and the GSA Federal Acquisition Institute. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Final Action	05/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AG97**4048. • FAR CASE 95-603, SOLICITATION PROVISIONS - CONTRACT CLAUSES****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)**CFR Citation:** 48 CFR 52.210-1**Legal Deadline:** None

Abstract: This final rule amends the FAR to delete the statement advising offerors to obtain copies of specifications from General Services

Administration Service Centers. The substance of the provision set forth at FAR 52.211-1 is not changed. Specifications are no longer available at the Business Service Centers. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Final Action	05/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AG98**4049. • FAR CASE 95-301, IRREVOCABLE LETTERS OF CREDIT (ILCS) AND ALTERNATIVES TO MILLER ACT BONDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)**CFR Citation:** 48 CFR 28.001; 48 CFR 28.1; 48 CFR 28.2; 48 CFR 52.228**Legal Deadline:** None

Abstract: This interim rule amends the FAR due to the requirement to implement OFPP Policy Letter 91-4 (previously considered under FAR Case 91-113, Irrevocable Letters of Credit) and provide alternatives to Miller Act Bonds, as required by Section 4104(b) of the Federal Acquisition Streamlining Act of 1994 (Pub. L. 103-355).

Timetable:

Action	Date	FR Cite
Final Action	05/00/96	

Small Entities Affected: Businesses**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AG99**4050. • FAR CASE 96-302, JUSTIFICATION AND APPROVAL THRESHOLDS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 104-106**CFR Citation:** 48 CFR 6**Legal Deadline:** Final, Statutory, January 7, 1997.

Abstract: This final rule amends the FAR to raise the dollar thresholds pertaining to approval for the use of other than full and open competition in the acquisition process. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Final Action	05/00/96	

Small Entities Affected: None**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AH00

**DEPARTMENT OF DEFENSE/GENERAL SERVICES ADMINISTRATION
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)**
Long-Term Actions
4051. FAR CASE 89-12, PAY-AS-YOU-GO PENSION COSTS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 30; 48 CFR 31

Legal Deadline: None

Abstract: To amend the FAR to revise the cost allowability criteria for pension costs.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/29/89	54 FR 13022
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AC90

4052. FAR CASE 89-23, PROCUREMENT INTEGRITY

Priority: Other Significant

Legal Authority: 41 USC 423

CFR Citation: 48 CFR 1; 48 CFR 3; 48 CFR 4; 48 CFR 9; 48 CFR 15; 48 CFR 37; 48 CFR 43; 48 CFR 52

Legal Deadline: Other, Statutory, July 16, 1989.

Other deadline is for an interim final rule.

Abstract: To amend the FAR to implement the procurement integrity requirements of section 27 of the Office of Federal Procurement Policy Act.

Timetable:

Action	Date	FR Cite
NPRM	03/27/89	54 FR 12556
Interim Final Rule	05/11/89	54 FR 20488
Suspension of Interim Final Rule	12/08/89	54 FR 50718
Interim Final Rule - 2nd Publication	09/06/90	55 FR 36782
Interim Final Rule Effective	09/06/90	
Amendment to Interim Final Rule	11/30/90	55 FR 49852

Action	Date	FR Cite
Amendment to Interim Final Rule Effective	12/30/90	
Final Action	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AD01

4053. FAR CASE 89-42, LIQUIDATED DAMAGES

Priority: Substantive, Nonsignificant

Legal Authority: PL 100-656, Sec 304

CFR Citation: 48 CFR 19; 48 CFR 52

Legal Deadline: None

Abstract: Amends the FAR to require a prime contractor to pay liquidated damages upon a lack of good faith effort to meet its small business subcontracting goals.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/21/89	54 FR 30703
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AD20

4054. FAR CASE 89-93, IMPLEMENTATION OF THE ANTI-LOBBYING STATUTE

Priority: Substantive, Nonsignificant

Legal Authority: PL 101-121, Sec 319

CFR Citation: 48 CFR 3; 48 CFR 52

Legal Deadline: None

Abstract: To amend the FAR to implement section 319 of PL 101-121, which added a new section 1352 to title 31 USC entitled "Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions." Section 319 generally prohibits recipients of Federal contracts, grants, and loans from using appropriated funds for lobbying the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan. Section 319 also requires that each person who requests or receives a Federal contract, grant, or cooperative agreement, in excess of \$100,000, or a loan or Federal commitment to insure or guarantee a loan, in excess of \$150,000, must disclose lobbying with other than appropriated funds.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/30/90	55 FR 3190
Next Action Undetermined		

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4067

RIN: 9000-AD76

4055. FAR CASE 91-27, PERFORMANCE AND PAYMENT BONDS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 28; 48 CFR 52

Legal Deadline: None

Abstract: To amend parts 28 and 52 to standardize policies governing bonding. The principal revisions include adding standard clauses when performance or payment bonds are required, and a standard form, Performance and Payment Bonds--Other Than Construction.

FAR

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	07/09/91	56 FR 31278
NPRM Comment	09/09/91	
Period End		
Next Action Undetermined		

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755

RIN: 9000-AE47

4056. FAR CASE 91-28, INDIAN-OWNED ENTERPRISES

Priority: Substantive, Nonsignificant

Legal Authority: PL 100-442, Sec 7

CFR Citation: 48 CFR 26; 48 CFR 52

Legal Deadline: None

Abstract: To amend the FAR to allow contractors to recover certain costs of subcontracting with Indian organizations and Indian-owned economic enterprises.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/22/91	56 FR 41728
Next Action Undetermined		

Small Entities Affected: Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755

RIN: 9000-AE52

4057. FAR CASE 91-91, PROMPT PAYMENT ACT

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 32.102(d); 48 CFR 32.902; 48 CFR 32.903; 48 CFR 32.904; 48 CFR 32.905; 48 CFR 32.906(a); 48 CFR 32.907-1; 48 CFR 32.910; 48 CFR 52.232-5; 48 CFR 52.232-8(b); 48 CFR 52.232-25; 48 CFR 52.232-26; 48 CFR 52.232-27; 48 CFR 52.232-28

Legal Deadline: None

Abstract: Revises FAR for compliance with OMB Circular A-125, Prompt Payment Act.

Timetable:

Action	Date	FR Cite
NPRM	05/06/94	59 FR 23776
NPRM Comment	07/05/94	
Period End		
Next Action Undetermined		

Small Entities Affected: Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AF61

4058. FAR CASE 91-109, ARCHITECT-ENGINEER SERVICES

Priority: Other Significant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 36.601-3; 48 CFR 36.601-4

Legal Deadline: None

Abstract: The Office of Federal Procurement Policy has directed revision of the Federal Acquisition Regulation to clarify the description of services considered to be architect-engineer services.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR),

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Phone: 202 501-4755

RIN: 9000-AF72

4059. FAR CASE 93-5, EMPLOYEE COMPENSATION COSTS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 22.101-2; 48 CFR 31.001; 48 CFR 31.205-6; 48 CFR 42.302(a)(1); 48 CFR 42.1300 to 42.1306

Legal Deadline: None

Abstract: Cost allowability criteria for employee compensation costs are amended.

Timetable:

Action	Date	FR Cite
NPRM	10/11/94	59 FR 51399
NPRM Comment	12/12/94	
Period End		
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755

RIN: 9000-AF97

4060. FAR CASE 91-78, SMALL BUSINESS SUBCONTRACTING REPORTING

Priority: Other Significant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 53.219

Legal Deadline: None

Abstract: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council are proposing to amend FAR 53.219 to authorize the addition of a column to the Standard Form 295, Summary Subcontract Report, to report the number of subcontracts awarded to small business concerns, small disadvantaged business concerns, and women-owned small business enterprises.

FAR

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	09/26/94	59 FR 49037
NPRM Comment	11/25/94	
Period End		
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

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RIN: 9000-AG04

4061. FAR CASE 94-3: TERMINATION INVENTORY SCHEDULES

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 49.105; 48 CFR 49.206-3; 48 CFR 49.303-2; 48 CFR 52.249-2; 48 CFR 52.249-3; 48 CFR 52.249-5; 48 CFR 52.249-6; 48 CFR 52.249-11

Legal Deadline: None

Abstract: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council are proposing changes concerning termination of contracts to preclude excessive delays in processing terminations for the convenience of the Government. The proposed change will require contractors to prepare and submit termination inventory schedules within 120 days from the effective date of termination, unless otherwise extended by the Termination Contracting Officer (TCO). This will enable the TCO to initiate early inventory screening and final disposition, thereby substantially reducing the time required to achieve termination settlement.

Timetable:

Action	Date	FR Cite
NPRM	12/01/94	59 FR 61734
NPRM Comment	01/30/95	
Period End		
Next Action Undetermined		

Small Entities Affected: Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AG13

4062. FAR CASE 94-9, INTERDIVISIONAL TRANSFERS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 31.205-26

Legal Deadline: None

Abstract: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed to an interim rule amending the Federal Acquisition Regulation (FAR). The cost principle criteria for cost of interdivisional transfers are amended to permit interdivisional transfers at price rather than cost under criteria that more closely approximate those applied to subcontracts eligible for exemption or waiver of cost or pricing data. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/31/95	60 FR 28503
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AG14

4063. FAR CASE 92-54, ENVIRONMENTALLY PREFERABLE PRODUCTS

Priority: Other Significant

Legal Authority: 42 USC 6901; EO 12873

CFR Citation: 48 CFR 7.1; 48 CFR 10.0; 48 CFR 11.004; 48 CFR 15.605; 48 CFR 23.201; 48 CFR 23.203; 48 CFR 23.4; 48 CFR 23.7; 48 CFR 36.6; 48 CFR 42.302; 48 CFR 52.210-5 to 52.210-7; 48 CFR 52.223-4; 48 CFR 52.223-8 to 52.223-10

Legal Deadline: Other, Statutory, April 18, 1994.

RIN published as an interim rulemaking in Federal Acquisition Circular 90-27.

Abstract: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed to an interim rule amending the FAR to incorporate policies for the acquisition of environmentally preferable and energy-efficient products and services. This regulatory action was subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/31/95	60 FR 28492
Next Action Undetermined		

Small Entities Affected: Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AG40

4064. FAR CASE 91-118, PAYMENT BY ELECTRONIC FUND TRANSFER

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 32.9; 48 CFR 52.232

Legal Deadline: None

Abstract: The Civilian Agency Acquisition Council and the Defense

FAR

Long-Term Actions

Acquisition Regulations Council are considering changes to the FAR to amend Subpart 32.9 and to add solicitation provisions and contract clauses at 52.232 to implement guidance to address the use of electronic fund transfers for Federal contract payments.

Timetable:

Action	Date	FR Cite
NPRM	10/03/95	60 FR 51766
NPRM Comment	12/04/95	
Period End		

Next Action Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AG49

4065. FAR CASE 93-26, BUSINESS MEALS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 31

Legal Deadline: None

Abstract: To clarify when the costs of meals for contractor employees are allowable. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
NPRM	08/21/95	60 FR 43508
NPRM Comment	10/20/95	
Period End		

Next Action Undetermined

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat)
Phone: 202 501-4755
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RIN: 9000-AG59

4066. FAR CASE 92-34, FAR CERTIFICATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 3; 48 CFR 4; 48 CFR 8; 48 CFR 9; 48 CFR 25; 48 CFR 36; 48 CFR 42; 48 CFR 47; 48 CFR 52; 48 CFR 53

Legal Deadline: None

Abstract: To amend the FAR to eliminate unnecessary requirements for offerors and contractors to provide certified information to the Government. A revision to Standard Form 129, Solicitation Mailing List Application, is associated with this proposed rule. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AG61

4067. FAR CASE 93-19, CONTINGENT FEE

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 31.205-38

Legal Deadline: None

Abstract: This rule amends the FAR to limit the allowability of contingent fees.

This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
NPRM	10/26/95	60 FR 54920
NPRM Comment	12/26/95	
Period End		

Next Action Undetermined

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
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RIN: 9000-AG64

4068. • FAR CASE 93-10, LEGAL PROCEEDINGS COSTS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 31.205-47

Legal Deadline: None

Abstract: This proposed rule amends the FAR to address costs related to legal and other proceedings to make the costs of pre- or post-award protests (except for costs incurred by an intervenor on the side of the Government) an unallowable cost. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
NPRM	10/26/95	60 FR 54918
NPRM Comment	12/26/95	
Period End		

Next Action Undetermined

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

FAR

Long-Term Actions

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
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RIN: 9000-AG65

4069. • FAR CASE 95-007, RESPONSIBILITY DETERMINATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 9.105-1; 48 CFR 9.106-1

Legal Deadline: None

Abstract: This proposed rule amends the FAR to emphasize the use of commercial sources of information in determining the responsibility of prospective contractors. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

A correction was published in the "Federal Register" at 60 FR 62806, December 7, 1995, to reflect amendments implemented by FAR Case 94-790, Acquisition of Commercial items.

Timetable:

Action	Date	FR Cite
NPRM	11/03/95	60 FR 55960
Correction	12/07/95	60 FR 62806
NPRM Comment Period End	01/02/96	

Next Action Undetermined

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG66

4070. • FAR CASE 95-305, FEDERAL ACQUISITION AND COMMUNITY RIGHT-TO-KNOW

Priority: Other Significant

Legal Authority: EO 12869

CFR Citation: 48 CFR 23; 48 CFR 52

Legal Deadline: None

Abstract: To implement the Executive Order 12869, Federal Acquisition and Community Right-to-Know, which establishes the policy that contracting agencies contract with companies that report in a public manner on toxic chemicals released to the environment. This interim rule provides a solicitation provision which requires certification of compliance with the Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11001-11050) (EPCRA) and the Pollution Prevention Act of 1990 (42 U.S.C. 13101-13109) (PPA), and a contract clause which incorporates the reporting requirements of EPCRA and PPA into Federal Government contracts.

This regulatory action is subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/30/95	60 FR 55306
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AG68

4071. • FAR CASE 93-308, MENTOR PROTEGE PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-190; PL 101-510

CFR Citation: 48 CFR 19.702; 48 CFR 52.244-5

Legal Deadline: None

Abstract: This interim rule amends the FAR to allow mentor firms under the Department of Defense Pilot Mentor-Protege Program to be granted credit toward subcontracting goals under small business subcontracting plans entered into with any executive agency.

The rule also will permit mentor firms to award subcontracts on a noncompetitive basis to protege firms under Department of Defense or other contracts. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/26/96	61 FR 2637
Next Action Undetermined		

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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RIN: 9000-AG70

4072. • FAR CASE 95-003, IMPAIRMENT OF LONG-LIVED ASSETS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 31

Legal Deadline: None

Abstract: To clarify the allowability of losses recognized when carrying values of impaired assets are written down for financial reporting purposes. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/14/95	60 FR 64254
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR),

FAR

Long-Term Actions

GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG73

4073. • FAR CASE 93-024, ALLOWABLE COST AND PAYMENT CLAUSE

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 52.216-7; 48 CFR 52.232-7

Legal Deadline: None

Abstract: This proposed rule clarifies payment provisions for large business prime contractors which are awarded cost-type contracts. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
NPRM	12/21/95	60 FR 66472
NPRM Comment Period End	02/20/96	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
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RIN: 9000-AG74

4074. • FAR CASE 94-605, CONTRACTORS' PURCHASING SYSTEMS REVIEWS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 44.302

Legal Deadline: None

Abstract: This proposed rule amends the FAR concerning requirements under Contractors' Purchasing Systems Reviews (CPSRs). This regulatory action

was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
NPRM	12/21/95	60 FR 66472
NPRM Comment Period End	02/20/96	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG75

4075. • FAR CASE 92-035, CLAUSE FLOWDOWN

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 46; 48 CFR 52

Legal Deadline: None

Abstract: This proposed rule amends the FAR to reduce the number of contract clauses requiring flowdown to subcontractors. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
NPRM	12/27/95	60 FR 67024
NPRM Comment Period End	02/26/96	
Final Action	00/00/00	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405

Phone: 202 501-4755

Fax: 202 501-4067

RIN: 9000-AG76

4076. • FAR CASE 93-303, DISASTER RELIEF ACT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 5121 et seq

CFR Citation: 48 CFR 6; 48 CFR 26

Legal Deadline: None

Abstract: This proposed rule amends the FAR to address competition requirements for acquisitions of major disaster or emergency assistance activities. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
NPRM	12/12/95	60 FR 63876
NPRM Comment Period End	02/12/96	
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
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RIN: 9000-AG77

4077. • FAR CASE 95-304, URUGUAY ROUND

Priority: Substantive, Nonsignificant

Legal Authority: PL 103-465

CFR Citation: 48 CFR 25; 48 CFR 52

Legal Deadline: Other, Statutory, January 1, 1996.

Rule published as Interim in Federal Acquisition Circular 90-36.

Abstract: To amend the FAR to implement the renegotiated General Agreement on Tariffs and Trade (GATT) Government Procurement Agreement (1996 Code) (Uruguay Round) which becomes effective January 1, 1996. This regulatory action

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was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/29/95	60 FR 67514
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
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Fax: 202 501-4067

RIN: 9000-AG80

4078. • FAR CASE 91-119, BUY AMERICAN ACT-CONSTRUCTION (GRIMBERG DECISION)

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 25; 48 CFR 52

Legal Deadline: None

Abstract: This proposed rule amends FAR parts 25 and 52 to add guidance on requests for exceptions to the Buy American Act for construction. This

regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
NPRM	12/27/95	60 FR 67028
NPRM Comment	02/26/96	
Period End		
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
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RIN: 9000-AG81

4079. • FAR CASE 93-009, CONTINGENT FEE REPRESENTATION

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 1.1; 48 CFR 3.4; 48 CFR 4.803; 48 CFR 13.111; 48 CFR 31.205-38; 48 CFR 52.203-4; 48 CFR 52.203-5; 48 CFR 53.203; 48 CFR 53.301-119

Legal Deadline: None

Abstract: This proposed rule amends the FAR to delete the provision requiring an offeror to provide a contingent fee representation and agreement and to submit a statement of contingent or other fees. Also, this rule rescinds the information collection requirement under Office of Management and Budget Clearance Number 9000-0003, Contingent Fee Representation. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
NPRM	11/07/95	60 FR 56216
NPRM Comment	01/08/96	
Period End		
Final Action	00/00/00	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AG83

DEPARTMENT OF DEFENSE/GENERAL SERVICES ADMINISTRATION NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)

Completed Actions

4080. FAR CASE 90-52, EVALUATION FACTORS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 15.605

Completed:

Reason	Date	FR Cite
Withdrawn	03/15/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson

Phone: 202 501-4755

RIN: 9000-AE21

4081. FAR CASE 91-18, MULTIYEAR CONTRACTING

Priority: Other

CFR Citation: 48 CFR 17; 48 CFR 52

Completed:

Reason	Date	FR Cite
Withdrawn	03/07/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no

statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson
Phone: 202 501-4755

RIN: 9000-AE65

4082. FAR CASE 92-616, SERVICE OF PROTEST

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 33.102; 48 CFR 52.233-2

Completed:

Reason	Date	FR Cite
Withdrawn	01/22/96	

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Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson

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RIN: 9000-AF36

4083. FAR CASE 93-301, MADE IN AMERICA LABELS; FAR CASE 93-306, UNFAIR TRADE PRACTICES

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 9.403; 48 CFR 9.406-2; 48 CFR 9.407-2

Completed:

Reason	Date	FR Cite
Final Action	01/26/96	61 FR 2631
Final Action Effective	01/26/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson

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RIN: 9000-AF40

4084. FAR CASE 92-19, SUBCONTRACTING PLANS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 19.705-2(d); 48 CFR 19.708(b)(1); 48 CFR 52.219-9

Completed:

Reason	Date	FR Cite
Final Action	01/26/96	61 FR 2638
Final Action Effective	03/26/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson

Phone: 202 501-4755

Fax: 202 501-4067

RIN: 9000-AF45

4085. FAR CASE 92-51, INHERENTLY GOVERNMENTAL FUNCTIONS

Priority: Other Significant

CFR Citation: 48 CFR 7.000; 48 CFR 7.103; 48 CFR 7.105; 48 CFR 7.5; 48 CFR 11.105; 48 CFR 37.102; 48 CFR 37.114

Completed:

Reason	Date	FR Cite
Final Action	01/26/96	61 FR 2627
Final Action Effective	03/26/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson

Phone: 202 501-4755

Fax: 202 501-4067

RIN: 9000-AF46

4086. FAR CASE 92-615, DEBARMENT AND SUSPENSION CERTIFICATE

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 9.406-2; 48 CFR 9.407-2; 48 CFR 52.209-5; 48 CFR 52.212-3

Completed:

Reason	Date	FR Cite
Final Action	01/26/96	61 FR 2632
Final Action Effective	03/26/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson

Phone: 202 501-4755

Fax: 202 501-4067

RIN: 9000-AF57

4087. FAR CASE 91-108, JAVITS-WAGNER-O'DAY PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 8.001(a)(2)(ii) & (iii); 48 CFR 8.001(c); 48 CFR 8.003; 48 CFR 51.101(c); 48 CFR 51.102(a); 48 CFR 51.102(c)(3); 48 CFR 52.208-9

Completed:

Reason	Date	FR Cite
Final Action	01/26/96	61 FR 2630
Final Action Effective	03/26/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson

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Fax: 202 501-4067

RIN: 9000-AF71

4088. FAR CASE 92-2, SUBCONTRACT PROPOSAL AUDITS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 15.806-3(a)(3) to 15.806-3(a)(6)

Completed:

Reason	Date	FR Cite
Final Action	01/26/96	61 FR 2634
Final Action Effective	03/26/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson

Phone: 202 501-4755

Fax: 202 501-4067

RIN: 9000-AF74

4089. FAR CASE 92-10, NONPROFIT INSTITUTIONS CLAUSE PRESCRIPTION

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 15.804-8(e) to 15.804-8(f); 48 CFR 52.215-27; 48 CFR 52.215-39

Completed:

Reason	Date	FR Cite
Final Action	01/26/96	61 FR 2633
Final Action Effective	03/26/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no

FAR

Completed Actions

paperwork burden associated with this action.

Agency Contact: Beverly Fayson
Phone: 202 501-4755
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RIN: 9000-AF77

4090. FAR CASE 92-14, INSURANCE—LIABILITY TO THIRD PERSONS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 28.311-1 to 28.311-3; 48 CFR 52.228-6 to 52.228-7; 48 CFR 52.245-7; 48 CFR 52.245-10

Completed:

Reason	Date	FR Cite
Final Action	01/26/96	61 FR 2639
Final Action Effective	03/26/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AF78

4091. FAR CASE 92-17, OVERHEAD SHOULD-COST REVIEWS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 15.810; 48 CFR 15.810-1; 48 CFR 15.810-2; 48 CFR 15.810-3

Completed:

Reason	Date	FR Cite
Final Action	01/26/96	61 FR 2635
Final Action Effective	03/26/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AF79

4092. FAR CASE 92-40, CONTRACTORS' PURCHASING SYSTEMS REVIEWS AND SUBCONTRACTOR CONSENT

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 44.201-2; 48 CFR 44.302; 48 CFR 52.244-2

Completed:

Reason	Date	FR Cite
Final Action	01/26/96	61 FR 2641
Final Action Effective	03/26/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Beverly Fayson
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AF82

4093. FAR CASE 92-604, NONALLOWABILITY OF EXCISE TAXES ON NONDEDUCTIBLE CONTRIBUTIONS TO DEFERRED COMPENSATION PLANS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 31.205-41(b)(6)

Completed:

Reason	Date	FR Cite
Final Action	01/26/96	61 FR 2641
Final Action Effective	03/26/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AF85

4094. FAR CASE 94-602, GSBGA RULES

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 33.105(a)(2)(ii); 48 CFR 33.105(c); 48 CFR 33.105(f)(1)(i); 48 CFR 33.105(f)(3)

Completed:

Reason	Date	FR Cite
Withdrawn	02/09/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson
Phone: 202 501-4755

RIN: 9000-AG03

4095. FAR CASE 92-24, EMPLOYEE STOCK OWNERSHIP PLANS

Priority: Other Significant

CFR Citation: 48 CFR 31

Completed:

Reason	Date	FR Cite
Withdrawn	03/07/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG53

4096. FAR CASE 93-18, DEFINITION OF BID AND PROPOSAL COSTS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 31

Completed:

Reason	Date	FR Cite
Withdrawn	03/05/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG58

4097. • FAR CASE 95-008, COMPETITIVE RANGE

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

FAR

Completed Actions

CFR Citation: 48 CFR 15.609

Legal Deadline: None

Abstract: This proposed rule amended the FAR guidance on competitive range determinations. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Due to the establishment of FAR Case 96-303, Competitive Range Determinations, which contributes towards the implementation of the Federal Acquisition Reform Act of 1996, this proposed rule has been closed. FAR Case 96-303 concerns the allowability of contracting officers, in procurement involving competitive negotiations, to limit the number of proposals in the competitive range to the greatest number that would permit an efficient competition among the most highly rated competitors. This proposed rule has not been published as of this date.

Timetable:

Action	Date	FR Cite
NPRM	11/06/95	60 FR 56035
NPRM Comment Period End	01/05/96	
Withdrawn	03/08/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG67

4098. • FAR CASE 95-006, FIELD PRICING SUPPORT REQUEST

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 15.805-5

Legal Deadline: None

Abstract: This final rule amends the FAR to clarify internal Government procedures for requesting field pricing support. This regulatory action was not subject to Office of Management and

Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Final Action	01/26/96	61 FR 2634
Final Action Effective	03/26/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG69

4099. • FAR CASE 92-606, SBA RESPONSIBILITY, CERTIFICATES OF COMPETENCY REQUESTS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 19.602-2

Legal Deadline: None

Abstract: This final rule amends the FAR to reflect approval authority of the Small Business Administration regional offices to issue Certificate of Competency Determinations as provided in 13 CFR Part 125. This regulatory action was not subject of Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Final Action	01/26/96	61 FR 2636
Final Action Effective	03/26/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Beverly Fayson, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets NW., Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067

RIN: 9000-AG78

4100. • FAR CASE 94-002, AVAILABILITY OF ACCOUNTING GUIDE

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 31.002

Legal Deadline: None

Abstract: This final rule amends the FAR to advise contractors on how to obtain an informational accounting guide entitled "Guidance for New Contractors." This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
Final Action	01/26/96	61 FR 2640
Final Action Effective	03/26/96	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AG79

4101. • FAR CASE 91-70, INSURANCE

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 28.3; 48 CFR 52.228

Legal Deadline: None

Abstract: This proposed rule amends the FAR relating to Insurance. As a result of the Defense Management Regulatory Reform initiative, clauses relating to Capture and Detention, Reimbursement for War Hazard Losses, Ground and Flight Risk, and Flight Risks, have been removed from the Defense Federal Acquisition Regulation Supplement and proposed to be inserted in the FAR.

Timetable:

Action	Date	FR Cite
Withdrawn	11/01/95	

FAR**Completed Actions**

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no

paperwork burden associated with this action.

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[FR Doc. 96-7481 Filed 05-10-96; 8:45 am]

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